

JOHN F. COOK
MAYOR

JOYCE WILSON
CITY MANAGER



CITY COUNCIL
ANN MORGAN LILLY, DISTRICT 1
SUSANNAH M. BYRD, DISTRICT 2
J. ALEXANDRO LOZANO, DISTRICT 3
MELINA CASTRO, DISTRICT 4
PRESI ORTEGA, JR., DISTRICT 5
EDDIE HOLGUIN JR., DISTRICT 6
STEVE ORTEGA, DISTRICT 7
BETO O'ROURKE, DISTRICT 8

REGULAR COUNCIL MEETING MINUTES
COUNCIL CHAMBERS
November 22, 2005
9:00 A.M.

The City Council met in regular session at the above place and date. Meeting was called to order at 9:07 a.m. Mayor John F. Cook present and presiding and the following Council Members answered roll call: Ann Morgan Lilly, Susannah M. Byrd, Melina Castro, Presi Ortega, Jr., Eddie Holguin, Jr., Steve Ortega and Beto O'Rourke. Absent: None. Late arrival: Representative Jose Alexandro Lozano at 9:23 a.m. The invocation was given by Police Chaplain Clift Barnes, followed by the Pledge of Allegiance to the Flag of the United States of America.

MAYOR'S PROCLAMATION

Mayor Cook asked for a moment of silence in honor of the assassination of President John F. Kennedy.

RECOGNITION

"STAR OF THE MOUNTAIN" AWARD TO MS. NELLIE MORALES

CALL TO THE PUBLIC – PUBLIC COMMENT

This time is reserved for members of the public who would like to address the City Council on items that are not on the City Council Agenda.

A sign-up form is available on line at https://www.elpasotexas.gov/city_clerk/contact_public.asp for those who wish to sign up in advance of the meeting date and a sign-up form is available outside the City Council Chambers at the City Clerk table for those who wish to sign up on the day of the meeting.

Requests to speak must be received by 9:00 a.m. on the date of the meeting.

30 Minutes total is allotted for speakers.

Three to five minutes may be allowed for each speaker.

Motion made by Representative O'Rourke, seconded by Representative Byrd and unanimously carried to **RECESS** the City Council meeting for the Mass Transit Department Board Meeting at 9:13 a.m.

Representative Lozano was not present for the vote.

Motion made by Representative O'Rourke, seconded by Representative Lozano and unanimously carried to **RECONVENE** the City Council meeting from the Mass Transit Department Board Meeting at 9:24 a.m.

Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano and carried to **APPROVE, AS REVISED**, all matters listed under the Consent Agenda unless otherwise noted. (Items approved, postponed, or deleted pursuant to the vote on the Consent Agenda will be shown with an asterisk [*]).

Representatives Presi Ortega, Jr and Holguin were not present for the vote.

Motion made, seconded and carried to **APPROVE** the Minutes for Regular City Council Meeting of November 15, 2005, Corrected Minutes for Regular City Council Meeting of November 8, 2005 and the Special City Council Meeting of November 14, 2005 (Agenda Review).

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a new Hotel Site Lease between the City of El Paso ("Lessor") and Flight Deck EP, L.P. ("Lessee") covering the property described as a portion of Lot 1, Block 1A, El Paso International Airport Tracts, Unit 4, City of El Paso, El Paso County, Texas, municipally known and numbered as 1850 Airway Blvd., El Paso, Texas.

ADOPTED this the 22nd day of November 2005.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the date of the regular City Council meeting is changed as indicated below:
Tuesday, December 27, 2005 is changed to Wednesday, December 28, 2005.
The time and location of the Meeting remains the same.

ADOPTED this 22nd day of November, 2005

*Motion made, seconded and carried to **POSTPONE TWO (2) WEEKS** a Resolution That the City Manager be authorized to sign a GSA Standard Form 30, *Amendment of Solicitation/Modification of Contract*, and other GSA/Federal forms required for the design completion and construction of the Storm Drain System for the Santa Fe Bridge/Paso Del Norte Port of Entry Expansion Project within City property. Be it further resolved that the City Manager is hereby authorized to make the necessary budgetary adjustments or transfers to carry out the intent of this Resolution. Project #: PPWFLO3047; Fund: 27707; Department: 31255013; Account: 508016.

***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a renewal and an extension of a Temporary Construction Easement granted by Mary S. Brock for a 0.0833 acre parcel of land being a portion of Lot 16, Block 6, Richmar Unit 4, El Paso, El Paso County, Texas, which easement is needed for the Rocky Bluff Drainage Improvement Project. (Parcel No.1)

1st Motion

*Motion made, seconded and carried to **MOVE TO THE REGULAR AGENDA** the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Overhead Electrical Easement to the El Paso Electric Company for a portion of Section 32, Block 80, Township 1 Texas & Pacific Railroad Surveys, and a portion of Tract 1B and 1C, Section 41, Block 80, Texas & Pacific Railroad Surveys, El Paso, Texas to provide electrical service to 11620 Railroad Drive.

Representative Castro commented.
Rick Conner, City Engineer commented

2ND and FINAL MOTION

Motion made by Representative Castro, seconded by Representative Byrd and carried to **APPROVE** the above Resolution.

Representative Lozano was not present for the vote.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Service Agreement between City of El Paso and the El Paso Electric Company for Lot 61, Block 579, Vista Del Sol, Unit 160, El Paso, El Paso County, Texas to provide electrical service to the Ranchos del Sol Park, located at 1100 Ted Houghton.

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Agreement for Architectural Services between the CITY OF EL PASO AND GUILLERMO BARAJAS, INC., dba- ENVIRO IDEA, for a project known as the "Ysleta Branch Library Expansion" for an amount not to exceed FORTY FOUR THOUSAND NINE HUNDRED SEVENTY-ONE and 00/100 DOLLARS (\$44,971.00). (District 6)

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign an Agreement for Architectural Services between the CITY OF EL PASO AND RON BROWN ARCHITECTS, for a project known as the "San Juan Senior Center Remodeling" for an amount not to exceed ONE HUNDRED FIVE THOUSAND THREE HUNDRED FORTY and 00/100 DOLLARS (\$105,340.00). (District 3)

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***RESOLUTION**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO

WHEREAS, the City of El Paso is a taxing entity in the El Paso Central Appraisal District, and

WHEREAS, the City of El Paso as a taxing entity is entitled to appoint two members of the El Paso Central Appraisal District Board; and

WHEREAS, the City Council desires to appoint two directors to the Board of Directors for the terms beginning January 1, 2006 through December 31, 2007.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That Representative Melina Castro and Representative Presi Ortega, Jr. are **APPOINTED** to the Board of Directors of the El Paso Central Appraisal District Board to fill the terms commencing from January 1, 2006 through December 31, 2007.

*Motion made, seconded and carried to **RE-APPOINT** Alma Wilson to the Parks and Recreation Advisory Board by Representative Steve Ortega.

*Motion made, seconded and carried to **APPOINT** David Flitman to the El Paso Mountain Committee by Representative Ann Morgan Lilly.

*Motion made, seconded and carried to **APPOINT** Robert Bustamante to the Zoning Board of Adjustment by Representative Eddie Holguin Jr.

*Motion made, seconded and carried to **RE-APPOINT** Alice Davis to the Parks and Recreation Advisory Board by Representative Steve Ortega.

*Motion made, seconded and carried to **MOVE TO THE REGULAR AGENDA** the following:

Gerry Mangrum to the Ethics Commission by Mayor John F. Cook.

Motion made by Representative Lozano, seconded by Mayor Pro Tempore O'Rourke and carried to **APPOINT** Gerry Mangrum to the Ethics Review Commission by Mayor John F. Cook.

AYES: Representatives Lozano, Castro, Presi Ortega, Jr., Holguin and O'Rourke

NAYS: Representatives Lilly, Byrd and Steve Ortega

Mayor Cook, and Representatives Lozano, Byrd, Steve Ortega, Presi Ortega, Jr., O'Rourke commented.

Mr. Gerry Mangrum commented.

*Motion made, seconded and carried to **APPROVE** the request that the Deputy Director of Financial Services-Purchasing Division, be authorized to issue Purchase Orders to Nice Systems who is the sole maintenance supporter of the manufacturer of Dictaphone Recording Equipment that is utilized by the Fire Department Emergency Operation Center. Time of performance is September 1, 2005 and to continue annually thereafter while the equipment is utilized. Additionally it is requested that the City Manager be authorized to execute any agreements or contracts and be authorized to make changes (up or down) as necessary to maintain the recording system under maintenance. Total Amount for the first year is \$35,213.30.

Award amount is: \$35,213.30 (first year maintenance)

Funds available in: 39010352-01101-502229

Funding Source: Operating Account, Public Safety Technology, Office
Equipment Maintenance Contracts.

Department: Fire and Information Technology

*Motion made, seconded and carried to **APPROVE** the request that the Deputy Director of Financial Services-Purchasing Division, be authorized to issue Purchase Orders to M&S Technology Inc. who is the authorized sole source reseller/integrator of the IronPort Systems software and maintenance service. Additionally it is requested that the City Manager be authorized to execute any agreements or contracts as needed. Total Amount is \$59,389.71. Renew annually as long as service is required.

Award amount: \$59,389.71 (first year maintenance)
Funds available: 04200401-29211-508010 Project PMB0005011
Funding Source: Capital Acquisition Public Service Communication
Department: Information Technology

*Motion made, seconded and carried to **APPROVE** Change Order No. Four (Construction Change) to EAS Contracting, L. P., for Contract No. 2004-204, EPIA Airfield Lighting and Controls project, located at El Paso International Airport, for an increased amount of \$793.55. This is a Unit Price Contract. Change Order No. Four (4) purpose is to add 12 line items to the contract. The addition of a line item to a unit price contract requires City Council approval.

The revised final completion date through this change order is December 12, 2005.

*Motion made, seconded and carried to **APPROVE** Change Order No. Four (4) to Blair-Hall Co., Inc., for Contract No. 2005-132 Northeast Regional Park Phase I Improvements Project. The amount of this change order represents a change in the original scope of work for this project as this change order incorporates the construction of an additional Soccer Field including Turf and Reclaimed Water Irrigation System. The dollar amount of this change order is \$159,813.20. This change order increases contract time by 15 days. Request letter from Contractor, Contractor Cost Proposal and the Consultant's letter of recommendation are attached. The project scheduled completion date through this change order is March, 2006.

The funding source for the work described under this change order is as follows:

\$159,813.20 from 31130550-PPW0046004-60016-508027.

Location: 11270 McCombs Rd.
District: 4

*Motion made, seconded and carried to **APPROVE** Change Order No. One (1) to Danny Sander Construction, Inc., for Contract No. 2005-105 Cedar Grove Subdivision Street and Drainage Improvements Project, Phases 1-9 & 11-12. The amount of this change order represents a change in the original scope of work for this project as it proposes cement stabilization of sub grade in lieu of over excavation. The dollar amount of this change order is a net decrease of (\$201,530.00). This change order will not increase contract time. Request letter from Contractor, Contractor's Cost Proposal and the Consultant's letter of recommendation are attached. The project scheduled completion date, through this change order is August 28, 2006.

The funding source for the work described under this change order is as follows: (\$201,530.00) from 14200403-PBE04ST107-29121-508027.

Location: Carolina Drive and Alpha Avenue.
District: 3

*Motion made, seconded and carried to **AWARD** Best Value Procurement Solicitation No: 2005-267 Memorial Park Branch Library Expansion

Location: 3200 Copper Ave, El Paso, Texas 79930
Contractor: Byers Construction, Inc.
El Paso, Texas

Department: El Paso Public Library

Funds Available: 31255001-P501552-27679-508027 &
14200408-PBE04LI02-29167-508027
Funding Source: Texas Library Award & 2004 Bond Issue
Items: Base Bid \$ 256,000.00
Total Award \$256,000.00
Estimated Completion Date: April, 2006
District(s): 2

RECOMMENDATION:

The Departments of Engineering, El Paso Public Library and the Consultant, Alvidrez Associates, Inc., recommend the award of this contract to Byers Construction, Inc., as this Offer or has provided the Best Value Proposal. It is requested that the City Manager of the City of El Paso be authorized to sign the referenced contract.

As part of the award of this contract, the City Engineer is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 25% of the original contract price as awarded, without further authorization by City Council.

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*Motion made, seconded and carried to **AWARD** Bid Solicitation No. 2005-208 Striping Machine, Truck Mounted, Airport

Award to: Henna Chevrolet, LP
Austin, Texas
Item(s): 1, O1 and O2 (O2 is included with O1)
Amount: \$238,451.00

Department: Department of Aviation
Funds available: 62620020-508029-41022-P500004-62000
Funding source: Airport Capital Fund
Total award: \$238,451.00
District (s): 3

Department of Aviation and the Financial Services Department, Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase for the Department of Aviation.

Vendor did not offer the option of purchasing additional quantities. Vendor did not offer a prompt payment discount.

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*Motion made, seconded and carried to **AWARD** Bid Solicitation No. 2005-246 Shelving and Rack Installation, Airport Warehouse

Award to: Vaughn Storage Systems
El Paso, Texas
Item(s): All
Amount: \$26,159.07

Department: Department of Aviation

Funds available: 62620020-508008-41022-P500004
 Funding source: Airport Capital Funds
 Total award: \$26,159.07
 District (s): 3

Department of Aviation and Financial Services-Purchasing Division recommend award as indicated to the lowest responsive offer meeting specifications from responsible parties.

This is a fixed-price, single (one-time) purchase, for a "Shelving and Rack Installation, Airport Warehouse". No option was offered to purchase additional quantity of items. Vendor does not offer a prompt payment discount.

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 *Motion made, seconded and carried to **APPROVE** the request of Laura Esparza to block off Cannes Circle between 9300 and 9368 on December 3, 2005 from 10:00 a.m. to 6:00 p.m. for a matachines block party. Approximately 60 persons will take part and 30 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 05-181
 [Laura Esparza]

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 *Motion made, seconded and carried to **APPROVE** the request of Edmundo Couder to block off Tierra Bella between 12238 and 12243 on November 27, 2005 from 1:00 p.m. to 4:00 p.m. for a matachines block party. Approximately 16 persons will take part and 25 spectators are anticipated. Barricades must be manned according to the State's "Manual of Uniform Traffic Control Devices". PERMIT # 05-184
 [Edmundo Couder]

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 Motion made by Representative O'Rourke, seconded by Representative Byrd and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance Amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.030 (Schedule III - Parking Prohibited At All Times On Certain Streets), to add a New Location On Dorbandt Circle, From Davis Drive to a Point 650 Feet West Thereof, Southside Only. The Penalty Being as Provided in Section 12.84.010 of The El Paso Municipal Code.
- B. An ordinance granting a renewal of the franchise for Life Ambulance Service, to operate a non-emergency ambulance transfer service.
- C. An Ordinance authorizing the City Manager to sign a lease agreement between the City of El Paso and El Paso's Miracle League, Inc., for the development of a baseball field and related facilities accessible by the disabled community. Such field and facilities to be located at a portion of Ponder Park, also known as a portion of lot 97, Cielo Vista Subdivision, El Paso, El Paso County, Texas for a term of twenty (20) years, with renewal options.
- D. An Ordinance authorizing the City Manager to sign a lease agreement between the City of El Paso and Teens In Action, for the lease of a portion of 43 Ysleta, Tract-1C, El Paso, Texas for a term of one (1) year, with renewal options for an additional five years.
- E. An Ordinance vacating a fifteen foot (15') wide portion of Keltner Avenue between Blocks 47 and 48, Logan Heights Addition, City of El Paso, El Paso County, Texas.

PUBLIC HEARING WILL BE HELD ON DECEMBER 6, 2005 FOR ITEMS A - E

- F. An Ordinance changing the zoning of a portion of Block 33, Mills Addition, El Paso, El Paso County, Texas from C-4/C (Commercial/Condition) to C-5/C (Commercial/Condition). The penalty is as provided

for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 378 Santa Fe Street. Applicant: Federal Acceptance Corp. ZON05-00106

- G. An Ordinance granting Special Permit No. ZON05-00107, to allow for a parking reduction on the property described as a portion of Block 33, Mills Addition, El Paso, El Paso County, Texas, pursuant to Section 20.64.175 of the El Paso Municipal Code. The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 378 Santa Fe Street. Applicant: Federal Acceptance Corp. ZON05-00107
- H. An Ordinance changing the zoning of Lot 3, Block 1, Loya's Subdivision, El Paso, El Paso County, Texas from R-3 (Residential) to R-4 (Residential). The penalty is as provided for in Chapter 20.68 of the El Paso Municipal Code. Subject Property: 322 A Thorn Avenue. Applicant: Librado Loya. ZON05-00110
- I. An Ordinance granting Special Permit No. ZON05-00111, to allow for a City County Health clinic on Lot 1, Block 1, Hornedo Subdivision, El Paso, El Paso County, Texas, pursuant to Section 20.14.040 (Zoning) of the El Paso Municipal Code. The penalty being as provided in Chapter 20.68 of The El Paso Municipal Code. Subject Property: 5195 Mace Street. Applicant: City of El Paso - City County Health & Environmental District. ZON05-00111
- J. An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to remove the proposed Lee Trevino Drive extension between North Loop Drive and Cesar Chavez Memorial Highway.
- K. An Ordinance amending the 2025 Proposed Thoroughfare System as detailed in the Map Atlas of the Plan for El Paso and its related documents as originally approved by El Paso City Council in 1999, and as subsequently amended, to remove the proposed Stanton Street extension between Coral Sky Lane and proposed Arterial 1 and to remove a section of proposed Arterial 1 between Mesa Street and Alabama Street.

PUBLIC HEARING WILL BE HELD ON DECEMBER 13, 2005 FOR ITEMS F – K

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

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*Motion made, seconded carried to **DELETE** an Ordinance amending Title 20 (Zoning) of the El Paso Municipal Code, by amending Section 20.08.080G (Adult Businesses) in order to revise the regulation of signage for adult businesses. The penalty is as provided in Chapter 20.68 of the City of El Paso Municipal Code.

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*Motion made, seconded and carried to **DELETE** the discussion and action on a proposed amendment to Title 7 of the El Paso City Code, which would incorporate a requirement that a special permit be obtained in cases where five (5) or more dogs or cats in any combination are maintained in a single household. The keeping of more than five (5) dogs or cats in any combination, excepting those animals that have not been weaned, shall require a special permit and the payment of a forty-five dollar (\$45.00) annual fee. The issuance of said permit shall require a determination by the Health Authority or his/her designee as to whether the public is assured of a safe and healthy environment relative to animal size, available space and facilities. No permit shall be issued without verification by the Program that the standards of animal care enumerated in 7.08.050 of this Title are being observed by the animal owner.

Mayor Cook commented.

Ms. Lisa Turner commented.

Mayor Pro Tempore O'Rourke read into the record the section from the proposed ordinance to amend title 7 of the El Paso City Code that reads "The keeping of animals whose number or the conditions under which they are kept disturbs the comfort and repose of any person of ordinary sensibilities in the vicinity; or endangers the animal's health, safety or welfare;" and stated that this achieves the goal of this item.

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Presi Ortega, Jr. and carried that the following Ordinance, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

An ordinance amending Title 7 (Animals) of the El Paso City code in its entirety, providing that penalties for violations thereof shall not exceed two-thousand dollars (\$2,000.00) per day per violations as provided in 7.04.080 of the El Paso City Code. [Representative Beto O'Rourke, (915) 541-4268]

PUBLIC HEARING WILL BE HELD ON DECEMBER 6, 2005.

AYES: Representatives Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke
NAYS: Representative Lozano

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Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega and unanimously carried to approve the acceptance of the report from the Tourism Cabinet.

Mayor Cook and Representatives Presi Ortega, Jr., Holguin, Byrd, Steve Ortega and Lozano commented.

Mr. David Marcus, Tourism Cabinet Chair, gave a presentation.

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*Motion made, seconded and carried to **POSTPONE TWO (2) WEEKS** the Discussion and brief on Cd. Juárez Tourism tour and meeting with Cd. Juárez City Representatives.

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Motion made by Representative Lozano, seconded by Mayor Pro Tempore O'Rourke and carried to **APPROVE** the request rejection of Bid No. 2006-030, Auxiliary Generator Maintenance as recommended by Financial Services – Purchasing Division and General Services Building Maintenance.

This requirement will be reviewed by the user department, a new solicitation will be issued.

AYES: Representatives Lilly, Lozano, Castro, Presi Ortega, Jr., Holguin and O'Rourke
NOT PRESENT FOR THE VOTE: Representatives Byrd and Steve Ortega

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Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Lozano and carried to **APPROVE** the request from the Deputy Director of Financial Services-Purchasing Division Requests that Mayor and Council terminate Contract No. 2003-101, with Helena Chemical Company for Fertilizer for convenience pursuant to Clause No. 18A of the Contract, an item titled Termination for Convenience, whereby the City reserved the right to terminate the Contract for convenience.

The user Department was notified & a new solicitation will be issued.

Department: Parks & Recreation

AYES: Representatives Lilly, Lozano, Castro, Presi Ortega, Jr., Holguin and O'Rourke
NOT PRESENT FOR THE VOTE: Representatives Byrd and Steve Ortega

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Motion made by Representative Holguin, seconded by Mayor Pro Tempore to **RECONSIDER** the following ordinance:

Representative Castro was not present for the vote.

ORDINANCE 16216

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS), TO ADD A NEW LOCATION ON DORBANDT CIRCLE, FROM DAVIS DRIVE TO A POINT 650 FEET WEST THEREOF, SOUTHSIDE ONLY. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Mayor Pro Tempore O'Rourke commented.

Rick Conner, City Engineer, commented.

Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Holguin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Castro, Lozano, Holguin, Jr., and Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Representative Castro

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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*Motion made, seconded and carried to **POSTPONE TWO (2) WEEKS** a Resolution that the City Manager be authorized to sign an Amendment to Contracts between the City of El Paso and Monterrey Properties, LTD. amending the Contracts dated May 15, 1963 and March 14, 1973, to delete conditions for the property described as Tract 17-E-3, Section 38, Block 81, TSP1, Texas and Pacific RR Surveys, in the City of El Paso, El Paso County, Texas. Subject Property: 4600 Block of McCombs Blvd. Applicant: Monterrey Properties, Ltd. ZON05-00112

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ORDINANCE 16217

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF LOTS 11 & 12, EXCEPT THE SOUTH 20 FEET, BLOCK 2, BUENA VISTA ADDITION - REVISED PLAT, EL PASO, EL PASO COUNTY, TEXAS FROM C-2 (COMMERCIAL) TO M-1 (LIGHT MANUFACTURING). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

George G. Sarmiento, Deputy Director of Development Services, gave a Power Point presentation (presentation of file in the City Clerk's office).

Representative Steve Ortega commented.

Motion duly made by Mayor Pro Tempore O'Rourke, seconded by Representative Holguin that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Lozano, Castro, Holguin, Jr., and Steve Ortega and O'Rourke
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Mayor Representative Presi Ortega, Jr.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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ORDINANCE 16218

The City Clerk read an ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF SECTION 41, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS FROM C-3/C (COMMERCIAL/CONDITION) TO R-5/C (RESIDENTIAL/CONDITION). THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE.**

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Holguin, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

George G. Sarmiento, Deputy Director of Development Services, gave a Power Point presentation (presentation of file in the City Clerk's office).

AYES: Council Members Lilly, Byrd, Lozano, Castro, Presi Ortega, Jr., Holguin, Jr., and Steve Ortega
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Mayor Pro Tempore O'Rourke

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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ORDINANCE 16219

The City Clerk read an ordinance entitled: **AN ORDINANCE GRANTING SPECIAL PERMIT NO. ZON05-00102, TO ALLOW FOR A PLANNED RESIDENTIAL DEVELOPMENT ON A PORTION OF SECTION 41, BLOCK 79, TOWNSHIP 2, TEXAS AND PACIFIC RAILROAD COMPANY SURVEYS, EL PASO, EL PASO COUNTY, TEXAS, PURSUANT TO SECTION 20.14.040 (ZONING) OF THE EL PASO MUNICIPAL CODE. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.68 OF THE EL PASO MUNICIPAL CODE**

George G. Sarmiento, Deputy Director of Development Services, gave a Power Point presentation (presentation of file in the City Clerk's office).

Motion duly made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega, that the Ordinance be **ADOPTED**. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Jr., and Steve Ortega
NAYS: None Absent: None
NOT PRESENT FOR THE VOTE: Representative Lozano and Mayor Pro Tempore O'Rourke.

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby **ADOPTED**.

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Item: Discussion and Action to approve the 2006 Internal Audit Plan

Mayor Cook and Representatives Steve Ortega and Presi Ortega, Jr. commented.

Ms. Joyce Wilson, City Manager, commented.

Ms. Lisa Turner, citizen, commented.

Mr. Edmundo Calderon, Chief Internal Auditor, gave a Power Point presentation (presentation on file in the City Clerk's office).

Motion made by Representative Holguin, seconded by Representative Byrd and carried to **APPROVE** the 2006 Internal Audit Plan

AYES: Representatives Lilly, Byrd, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: Representative Castro

NOT PRESENT FOR THE VOTE: Representative Lozano

.....
Motion made by Mayor Pro Tempore O'Rourke, seconded by Representative Steve Ortega and carried to **POSTPONE TWO (2) WEEKS** discussion and action on the claim of Bill Bowden (SWM/L0066) (551.071)

AYES: Representatives Lilly, Byrd, Castro, Presi Ortega, Jr., Holguin, Steve Ortega and O'Rourke

NAYS: None

NOT PRESENT FOR THE VOTE: Representative Lozano

Mr. Charlie McNabb, City Attorney, commented.

.....
Motion made by Representative Presi Ortega, Jr., seconded by Representative Steve Ortega and carried to adjourn this meeting at 10:32 a.m.

Representative Lozano was not present for the vote.
.....

APPROVED AS TO CONTENT:

Richarda Duffy Momsen, City Clerk